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TO

Amend the Landlord and Tenant (Ireland) Act, 1870, with a view to facilitate the acquisition of property in land in fee and in fee-farm by tenants in Ireland.

A.D. 1874.

WHEREAS it is expedient to amend the provisions of the Landlord and Tenant Act (Ireland), 1870, and the Act amending the same, with a view to provide increased facilities for the acquisition by purchase, in fee, in fee-farm, or on long leasehold tenures, of their holdings, or of part of same, by tenants in Ireland:

33 & 34 Vict.
c. 46.

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

10 1. This Act shall be read in conjunction with the Landlord and Tenant Act (Ireland), 1870, and with the Landlord and Tenant Act, 1870, Amendment Act, 1872; and where the provisions of this Act are inconsistent with the provisions of the original Act, or the Act amending the same, the provisions of this Act shall be substituted
15 for the provisions of the recited Acts, or of either of them.

Construction
of Act.

2. The Commissioners of Public Works, Ireland, may, in all cases in which they are authorised under the recited Acts, or either of them, to advance money for the purchase or completion of the purchase of his holding by a tenant, advance any sum not exceeding
20 three fourths of the purchase money, on the same conditions and on the same terms as they are now authorised to advance money, not exceeding two thirds of the purchase of his holding, by the recited Acts.

Commissioners of
Public Works
may advance
three fourths
of purchase
money for
tenants'
holdings;

3. In any case in which the tenant has agreed with his landlord to purchase from him a lease of his holding for a term of not less than sixty years at such rent as may be agreed on, the Commissioners of Public Works shall be authorised to advance to him, on being satisfied with the security, the same proportion of the
[Bill 61.]

or for purchase of
lease of his
holding.

A.D. 1874. — purchase money, and on the same terms and subject to the same conditions as by this or the former Acts they are authorised in the case of a purchase in fee or in fee-farm.

Provision for
cases of pur-
chase of
part of hold-
ing.

4. The provisions of this Act and the said recited Act shall extend to any case in which the tenant has purchased or agreed to purchase a portion and not the entire of his holding either in fee or in fee-farm grant, or on a lease at a reserved rent of any portion of his holding for a period of not less than sixty years. 5

Judges of
Landed
Estates Court
may grant
lease for
sixty years in
certain cases.

5. The judges of the Landed Estates Court may in all cases in which land in the occupation of a tenant is about being sold, and in which they are satisfied that no injury can result to the interests of the creditors, or to the persons beneficially interested in the sum that may remain after the payment of all incumbrances, grant a lease of his holding to the tenant for a term of not less than sixty years, at a reserved rent not being less than the rent existing at the time. 10 15

Provision for
case of ten-
ant willing
to pay pre-
mium.

6. If the tenant of an agricultural holding, part of an estate about to be offered for sale in the Landed Estates Court, make application to the judges of the Court in the prescribed form, stating his willingness to pay, by way of fine or premium for a grant in fee-farm, a lease for lives renewable, or a lease for a period fixed not being less than sixty years, at such reserved rent as may be agreed upon between the Court and the tenant, and if the Court and the tenant agree upon the tenure to be granted, the rent to be reserved, and the fine to be paid in consideration of said agreement and grant, the Commissioners of Public Works may advance the same proportion of the purchase money in such cases on the same terms and conditions as in the other cases herein and in the recited Acts mentioned. 20 25

Compensa-
tion.

7. The Court, after estimating the amount of the fine to be paid by the tenant for the grant of the tenure, and at the reserved rent agreed upon, shall take the prescribed means to ascertain the amount of compensation, if any, which the tenant would be entitled to obtain under the original Act, if disturbed in his holding, and shall give to the tenant a certificate stating that he is entitled to the amount so ascertained as a credit against the amount of the said fine or premium, and shall give to the tenant credit for the amount specified therein, on his depositing said certificate as part payment of the said fine or premium for the said grant. 30 35

Certificate of
credit.

8. The Commissioners of Public Works, Ireland, on receipt of a certificate from the Court that the certificate of credit has been so 40

deposited, shall consider the amount specified in such certificate of credit, when so deposited in the Court as part payment of the fine or premium to be paid by the tenant for such grant, as equivalent to payment in cash on account of the fine or premium, and may advance to the tenant for the completion of the payment of such fine or premium a sum not exceeding three-fourths of the whole amount of the fine or premium, on the tenant paying such sum, if any, as may be required to make up with the certificate of credit the other fourth, on the same conditions and terms as to security as they may now advance moneys for the purchase of his holding by a tenant under the recited Acts.

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9. The amount of the fine or premium agreed on and paid for such grant of tenure by the tenant, after deducting from it the amount of the sum to which the tenant has been so certified by the Court to be entitled to credit as against same, shall be lodged as the Court may direct to the credit of the estate, and shall be dealt with in all respects as a part of the price brought by the sale of the estate through the Court.

Premium to be placed to credit of estate.

10. The holding for which such grant of tenure has been given or agreed by the Court to be given shall be sold subject to such tenure, and to the covenants stated in the instrument granting same.

Sale of holding.

11. This Act may be cited as the "Landlord and Tenant Act, Ireland, Amendment Act, 1874."

Short title.

12. The word "purchase" in this Act shall mean and include a purchase or an agreement for a purchase made by the tenant, or a sale or an agreement for a sale by the landlord, or a purchase in or a sale by the Landed Estates Court, whether the grant to be made to the tenant is to be in fee, in fee-farm, or a lease at a reserved rent for a period of not less than sixty years.

Interpretation.

**Landlord and Tenant
(Ireland) Act (1870)
Amendment, No. 2.**

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To amend the Landlord and Tenant
(Ireland) Act, 1870, with a view to
facilitate the acquisition of property
in land in fee and in fee-farm by
tenants in Ireland.

*(Prepared and brought in by
Sir John Glyn, Mr. Justice Martin, Mr. Aldrich,
and Mr. O'Sullivan.)*

*Ordered, by The House of Commons, to be Printed,
20 March 1874.*

[Bill 61.]
Twenty 1 oz.